

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

**SPECIAL COUNCIL MEETING**

**1. CALL TO ORDER SPECIAL COUNCIL MEETING** Mayor Herron called the City of Hilshire Village Special Council Meeting to order at 6:00 P.M. via teleconference due to COVID-19 and the need for social distancing.

**1.1 Present** were Mayor Herron, Mayor Pro Tem Maddock, Council Member Gordy, Council Member Byrne and Council Member Schwarz. Also present was City Attorney Bounds and City Administrator Blevins.

**2. CITIZEN'S COMMENTS FOR SPECIAL COUNCIL MEETING:** None

**3. CLOSED EXECUTIVE SESSION:**

**3.1** Mayor Pro Tem Maddock made a motion to enter into executive session per Texas Government Code Sec. 551.074 to deliberate the appointment of a public officer, seconded by Council Member Gordy.

**4. ADJOURNMENT OF SPECIAL COUNCIL MEETING**

Mayor Herron adjourned the Special Council Meeting at 6:30 P.M. and called to order the Regular Council Meeting.

**5. CALL TO ORDER REGULAR COUNCIL MEETING**

**5.1 Invocation** was given by Council Member Gordy.

**5.2 Pledge of Allegiance**

**5.3 Present** were Mayor Herron, Mayor Pro Tem Maddock, Council Member Gordy, Council Member Byrne, and Council Member Schwarz. Also present were City Attorney Bounds, City Engineer Him, City Building Official Taylor, City Deputy Building Official DuVall and City Administrator Blevins.

**6. REPORTS TO COUNCIL:**

**6.1 Building Official's Report:** Deputy Building Official DuVall said there are no outstanding items to discuss.

**7. DISCUSSION AND POSSIBLE ACTION:**

**7.1** The Council discussed a request for a variance for the requirement of a fire sprinkler system for 8373 Westview Drive.

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

Building Official Taylor stated that the amount and type of repairs required to the building triggers the requirement of a fire sprinkler system per City ordinance. He said the repairs include plumbing, electrical and mechanical as well as framing, roofing and accessibility updates to the facilities to comply with current building codes.

Mayor Herron said there is a point at which the amount of changes to the building requires compliance with the updated setback rules as opposed to the rules in place when the building was constructed. Building Official Taylor said it was determined that the building did not meet the requirements to update to the current setback ordinance because there will be no changes to the original foundation location or size.

City Attorney Bounds said the fire sprinkler system requirement is defined by the International Fire Code, whereas the set backs are a City Zoning Ordinance requirement. City Attorney Bounds said under the fire code there is no appeal process included, and it is within the discretion of the building official and/or fire marshal.

Council Member Gordy said he supports the building official's decision based on the provided damage report. He said the language of the code allows for consideration of variance on an aspect or feature of the fire system as appropriate to the building, but not to eliminate the system altogether.

Building Official Taylor said the International Fire Code supports a judgement on where it is not possible to have a fire sprinkler system such as no access to a water line, but this building does not have such a hardship.

Dan McCoy, 8373 Westview Drive, said they are committed to making the building safer but time and money are an obstacle. He stated that they have already spent money on asbestos removal and are planning to convert one of the bathrooms to be handicap accessible. Mr. McCoy said that the building is only 2,000 square feet with 3 main conference rooms, 5 egress doors with 5 commercial grade fire extinguishers and exit lights. He said the total estimate for the fire sprinkler system including the upgraded plumbing was \$65,000 and asked council for ideas or alternatives to help with the cost.

Mayor Herron said that he recently spoke with the Village Fire Marshal who said that the department has not responded to a fire call where a suppressant system was activated and already extinguishing the fire upon their arrival. Mayor Herron reminded council that the fire at 8373 Westview started when no one was at the building and was called in by a passerby. He also stated that installing the system while the walls are exposed will be easier than doing it later.

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

Council Member Byrne said he also spoke with the Fire Marshal regarding concerns due to the building's proximity to the rear property line, residential homes and the cedar fence between them.

Mayor Pro Tem Maddock said he agrees that the building is unsafe without the automatic suppressant system.

Council Member Schwarz said the cost does seem excessive but the system is needed, especially being so close to the residential properties.

Council Member Gordy said he is surprised at the cost estimate. He said commercial systems are typically more expensive but a building this size shouldn't cost as much as the quote provided. Building Official Taylor said there is a difference between commercial and residential systems but he doesn't know the exact specifications.

Mayor Herron said that from the discussion it seems like the Council agrees that a fire suppression system needs to be installed but the commercial grade requirements make it more expensive than the non-profit organization can afford. He suggested exploring appropriate modifications to the design or materials for a less expensive but still effective system.

Dan McCoy asked for specific suggestions on reducing the cost. City Administrator Blevins said there was a similarly sized commercial building that recently had a new meter installed for their fire suppressant system and recommended to Mr. McCoy that he reach out to them for a reference and new estimate.

Council Member Gordy made a motion to table the request for variance until further discovery can be made by Mr. McCoy on the options for alternative fire suppressant systems, seconded by Council Member Schwarz.

**A vote was taken to table the variance request until further discovery can be made by Mr. McCoy on the options for alternative fire suppressant systems. The vote passed unanimously.**

The City Building Official was excused.

**8. CITIZEN'S COMMENTS:** None

**9. REPORTS TO COUNCIL:**

**9.1 Police Report:** There were no outstanding issues to discuss with Council.

Mayor Pro Tem Maddock asked for the Spring Valley Police Department to work with the

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

City of Houston Police to reduce the excessive speeding on Wirt and at the freeway. City Administrator Blevins said she would speak with Captain Newman.

Mayor Herron asked if there will be any future issues caused by delaying the enforcement of the Overnight Street Parking Ordinance. City Attorney Bounds said the City has the right to enforce approved ordinances at any time and only encounters a problem when selective enforcement is based upon an inappropriate basis. Mayor Herron said Spring Valley Police is still in limited personal contact mode due to the pandemic.

Council Member Byrne asked about the basketball goal that is continuously left in the street on Glenhilshire Drive. City Administrator Blevins said she will call the homeowners and ask BBG to tag it if it is not moved to private property. She said the homeowners have pulled it into the driveway after past requests from the City but their family continues to use the equipment regularly so it ends up back in the street.

## **9.2 Engineer's Report:**

Engineer Him said he has been working with contractors on quotes for water and sewer services to the four (4) new residential lots on Glourie Drive.

Engineer Him stated that work has not started on the Annual Ditch Cleaning and Maintenance Plan because of the contractor's medical condition. He said weather permitting they plan on starting work on Thursday of this week. Council Member Byrne asked if the Pine Chase Grove area around the water vault will be addressed on Thursday. Engineer Him said the two residential addresses in Pine Chase Grove are scheduled first.

Engineer Him said he spoke with Mr. Steiber with the Harris County Engineering Department regarding the letter received about developing minimum standards for the 500-year Floodplain. He said most of the recommended items will have minimal impact on the City because the areas that are developable in Hilshire Village are above the 500-year Floodplain Elevation.

Council Member Byrne asked if there was any progress on the overgrown ravine at **1209 Pine Chase Drive**, he is concerned about both the visible area from the street and also what is further into the property as it is part of the City's drainage system. Administrator Blevins said that the homeowner confirmed that he would have his lawn contractor clean it up.

**Nancy Friedman, 1313 Pine Chase Grove**, said that per the Engineer's Report the pooling in her back yard was not caused by the landscaping done at her next-door neighbor's yard, even though rain water had never collected there before. Engineer Him responded that Javier Vasquez, HDR Engineering, performed a site inspection and reviewed homeowner-submitted photographs and video. He stated it was found that

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

there a one (1) inch gap remains under the fence and there was no evidence that the landscaping changes made to 1315 Pine Chase Grove had a detrimental impact to the drainage at 1313 Pine Chase Grove. **Mark Taub, 1313 Pine Chase Grove**, said they have lived at this address for over 20 years and have never had an issue with pooling water until the landscaping changes next door. Engineer Him said that the photos and video submitted were taken during a rain event and showed the water sheet flow but there was no evidence that the water was blocked. He stated that they are likely observing localized low spots in their yard. Mrs. Friedman said they will continue to monitor the area during upcoming storms.

The City Engineer was excused.

**10. DISCUSSION:**

- 10.1** Mayor Herron said the Planning and Zoning Committee prepared this amendment to the Zoning Ordinance to allow for certain conditions to an accessory building that would make it a habitable space so long as it complies with the lot setbacks.

Council Member Byrne said he wasn't sure why the topic was brought to the Planning and Zoning Committee. Mayor Herron said he brought the ordinance to the Committee's attention because there were rules that did not make sense to him. He said that the term "habitable" includes electricity and plumbing which could make an outdoor kitchen a "habitable space".

Mayor Pro Tem Maddock said this amendment would make it possible for two (2) families to live on one (1) lot and that is not what he wants. Mayor Herron said there is a separate ordinance that prohibits more than one (1) family per lot. Mayor Pro Tem Maddock said per the City Attorney's comments there is an enforcement problem because it is hard to determine who is actually considered a "family unit".

Council Member Schwarz asked if the City has had an issue in the past with multiple families dwelling on one (1) lot. City Administrator Blevins said that they have had a house where several college students have lived together and another where sisters rented a house and several people lived together. The City has also heard about an accessory building that was occupied by one (1) of the homeowner's parents.

Kathleen Stafford, Planning and Zoning Committee Chair, said a group of roommates are currently allowed to cohabitate. She said this amendment is not intended to allow a 3<sup>rd</sup> party to rent the property, but to allow a nanny, caregiver or elderly parent to live in a separate building or to allow an office above the garage. She stated that enforcement is difficult as officials cannot enter private property and would rely on reports from neighbors. City Administrator said that if a caregiver is permitted to live in an accessory building then they would likely bring their family with them. Chair Stafford said that the language can be amended to be more specific.

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

Council Member Schwarz said he doesn't think it creates a situation different than adding onto the main building. He said he is concerned about parking and traffic issues also. Chair Stafford said that the current parking ordinance would remain in place and it would be the responsibility of the homeowners to abide by it.

City Attorney Bounds said there are certain standards that are required for a space to be qualified as a habitable space including running water, electricity, air conditioning, a restroom facility and a space to sleep. Mayor Herron said those qualifications provide a better idea of what a habitable space looks like.

City Administrator Blevins said she is concerned about occupied garages close to the property lines with windows facing the neighbors. Chair Stafford said the setbacks and height requirements were not changed, and a detached garage that sits at the ten-foot setback cannot be a habitable building nor have a second story built. She said the building must be within the 25-foot setback and its footprint will count toward the lot's permeability ratio.

Council Member Byrne said the Planning and Zoning Committee, which includes himself, was asked to work on this topic specifically. He said the Committee strives to work on ordinances that are in the best interest of the citizens. Mayor Herron said several years ago he reviewed the ordinances with the City Administrator and prioritized the ones to be addressed based on the issues within the ordinances. He said making these changes is a lengthy process and that the original list is still being worked on.

- 10.2** Mayor Pro Tem Maddock made a motion to send an immediate memo to the Hilshire Village residents notifying of the openings in the governing bodies and soliciting input from those interested in filling the positions, seconded by Council Member Schwarz.

**A vote was taken to approve the motion to send an immediate memo to the Hilshire Village residents notifying of the openings in the governing bodies and soliciting input from those interested in filling the positions.**

**The vote passed unanimously.**

The City Attorney was excused.

- 10.3** Mayor Herron began the dialogue of FYE 2021 Budget and 2020 Tax Rates. He said that the federal budget deficit has grown due the emergency pandemic situation, and that government at all levels should be considering the effects of that on citizens when establishing their own budgets and tax rates.

City Administrator Blevins said the budget is basically the same as last year. One item in question would be the capital improvement fund if Council decides to proceed with a new project. She said she added the anticipated 7% increase to the Spring Valley Police Department fund but did not have final figures from them at that time.

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

Council Member Gordy suggested switching the street lights to LED to save on usage costs. City Administrator Blevins said Council has discussed this in the past and concerns were raised about some citizens disliking the LED lights. She also said she has had requests for decorative street lights. Council Member Byrne said the initial cost to change the lighting type was outstanding a few years ago, however the cost may be more affordable now. He also said there may be programs available to help with the cost of the installation. City Attorney Bounds said the Texas Local Government Code allows for financing of projects like these and there are specialized companies who work with the cities. Council Member Schwarz said he supports the replacements of the existing lights with LED for energy efficiency and reduced costs.

Council Member Byrne said the line item for the Fire Department needs to be changed from \$10,000 to \$15,000 being 3% of 500,000 to account for the anticipated costs for the fire station renovation. City Administrator Blevins said she will make that adjustment.

City Administrator Blevins said that she increased the line item for curb and gutter streets from \$30,000 to \$50,000 using the \$20,000 from the noise mitigation fund from the previous budget.

City Administrator Blevins said according to the Harris County Appraisal District, the average home value in Hilshire Village is between \$800,000 to \$900,000. Using those numbers, the voter approval tax rate would increase taxes by an average of \$248 per household.

City Administrator Blevins said the utility account stays at a low balance and maintains itself.

## **11. REPORTS TO COUNCIL: (Con't)**

**11.1 Fire Commissioner's Report:** Commissioner Byrne said that as of the end of July the department is 2.4% under budget. Computer dispatch is installed and is up and running, the Fire Station Reconstruction job is on schedule or ahead on some things. He stated that the EMS calls for the month averaged 3:30, well below the national standard of 6:30. He said there were no COVID calls in the last 3 weeks and no in house COVID cases since March. A new fire engine is expected in October and then the department will sell the old one.

**11.2** Mayor Herron had nothing additional to report.

**11.3 City Administrator's Report:** City Administrator Blevins advised Council that Assistant City Secretary Stephens would be out of town at a training seminar as part of the Texas Municipal Clerks Association program to become a certified clerk. She said the functions at the City Office have run smoothly through the pandemic and

**TUESDAY, AUGUST 18, 2020**  
**SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM**  
**REGULAR COUNCIL MEETING @ 6:30 PM**

staff will continue to practice safety habits.

**11.4 Treasurer's Report:** City Treasurer Blevins said that the interest on the \$1,000,000 investment was low; only \$76 since the rates have gone down significantly.

**12. CONSENT AGENDA:** Mayor Pro Tem Maddock made a motion to approve the Consent Agenda as presented to Council including the Disbursements, Deposits, Minutes from the Regular Council Meeting of June 16, 2020, Minutes from the Public Hearing and Regular Council Meeting of July 21, 2020, Minutes for the Special Council Meeting of August 5, 2020 and the Check Register for July, 2020, seconded by Council Member Schwarz.

**A vote was taken to approve the motion approving the Consent Agenda as presented to Council including the Disbursements, Deposits, Minutes from the Regular Council Meeting of June 16, 2020, Minutes from the Public Hearing and Regular Council Meeting of July 21, 2020, Minutes for the Special Council Meeting of August 5, 2020, and the Check Register for July, 2020.**

**The vote passed unanimously.**

**13. ADDITIONAL COUNCIL COMMENTS:** Council Member Byrne asked about the status of the ditch grading at Pine Chase Grove. City Administrator Blevins said the only contact she has received from the homeowner was asking when the work would begin.

Council Member Gordy said he is still concerned with the water meter vault at Hickory Shadows and the City of Houston. He stated that the City's water pressure could be improved with a new meter. City Administrator Blevins said she recently was given a new Texas Department of Transportation contact from another City and she will reach out to them this week.

**14. FUTURE AGENDA TOPICS:**

**15. ANNOUNCEMENTS:** None

**16. ADJOURNMENT:** Mayor Pro Tem Maddock made a motion to adjourn the meeting, seconded by Council Member Byrne.

**A vote was taken to approve the motion to adjourn the meeting. The vote passed unanimously.**

**TUESDAY, AUGUST 18, 2020  
SPECIAL COUNCIL MEETING @ 6:00 – 6:30 PM  
REGULAR COUNCIL MEETING @ 6:30 PM**

**The meeting was adjourned at 8:27 P.M.**

---

Mayor Herron

ATTEST:

---

Susan Blevins, City Secretary